

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ AUG 18 2014 ★

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ALINA AHMED f/k/a Ruchi Diwan,

BROOKLYN OFFICE

Plaintiff,

NOT FOR PUBLICATION
MEMORANDUM & ORDER
13-cv-3353 (CBA) (RER)

-against-

SUBZI MANDI, INC. and JAGIR SINGH,

Defendants.
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AMON, Chief United States District Judge.

On June 12, 2013, plaintiff Alina Ahmed commenced this action against defendants Subzi Mandi, Inc. and Jagir Singh seeking unpaid minimum wages, unpaid overtime, spread of hours pay, liquidated damages, prejudgment and post-judgment interest, attorney's fees and costs pursuant to the Fair Labor Standards Act ("FLSA"), 29 U.S.C § 201, et seq., and the New York Labor Law ("NYLL"). Defendants failed to answer the complaint and on October 11, 2013, the Clerk of Court noted defendants' default for failure to appear or otherwise defend this action. Plaintiff subsequently moved, on November 1, 2013, for the entry of default judgment against defendants. (D.E. # 9.) The Court referred the matter to Magistrate Judge Ramon E. Reyes, Jr., who issued a Report & Recommendation ("R&R") on May 27, 2014, recommending that the Court grant plaintiff a default judgment in the amount of \$24,788.12. (D.E. # 10.)

No party has objected to the R&R, and the time for doing so has passed. When deciding whether to adopt an R&R, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). To accept those portions of the R&R to which no timely objection has been made, "a district court need only satisfy itself that there is no clear error on the face of the record." Jarvis v. N. Am. Globex Fund, L.P., 823 F. Supp. 2d 161, 163 (E.D.N.Y. 2011) (internal quotation marks and

citation omitted). The Court has reviewed the record and, finding no clear error, hereby adopts Magistrate Judge Reyes's R&R as the opinion of the Court.

Accordingly, the Court directs the Clerk of Court to enter final judgment against defendants Subzi Mandi Inc. and Jagir Singh, jointly and severally, and in favor of Alina Ahmed as follows: (1) unpaid wages and overtime pay of \$6,696.55; (2) liquidated damages of \$13,139.35; (3) prejudgment interest in the amount of \$32.22, plus \$0.06 per day from May 27, 2014 until the entry of final judgment; (4) post-judgment interest; and (5) attorney's fees and costs of \$4,920.

The Clerk of Court is directed to terminate all pending motions and to close the case.

SO ORDERED.

Dated: August 14, 2014
Brooklyn, N.Y.

s/Carol Bagley Amon

Carol Bagley Amon
Chief United States District Judge